

FILED

JUL 26 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 Bingham McCutchen LLP
2 DAVID M. BALABANIAN (SBN 37368)
3 CHRISTOPHER B. HOCKETT (SBN 121539)
4 JOY K. FUYUNO (SBN 193890)
5 Three Embarcadero Center
6 San Francisco, CA 94111-4067
7 Telephone: (415) 393-2000
8 Facsimile: (415) 393-2286

9 Attorneys for Defendant
10 Intel Corporation

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 DAVID E. LIPTON and DANA F.
15 THIEBDEAU, individually and on behalf of all
16 others similarly situated,

17 Plaintiffs,

18 v.

19 INTEL CORPORATION, a Delaware
20 corporation,

21 Defendant.

No. C-05-2669

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE FILING DATE
FOR DEFENDANT'S RESPONSE TO
PLAINTIFFS' COMPLAINT

22 IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH THEIR
23 COUNSEL AS FOLLOWS:

24 Pursuant to Civil Local Rule 6-2, Plaintiffs David E. Lipton and Dana F.
25 Thibedeau and Defendant Intel Corporation hereby stipulate that Intel Corporation's response to
26 Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case
pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section
1407 or, in the alternative, 45 days after any such motion has been denied. The parties request
this transfer because the plaintiffs in *Brauch, et al. v. Intel Corp.*, No. C 05-2743 (BZ) (N.D.

STIPULATION AND [PROPOSED] ORDER TO CONTINUE RESPONSE DATE

1 Cal., filed July 5, 2005), a related matter, have filed a petition to coordinate or consolidate pro-
2 trial proceedings per 28 U.S.C. Section 1407, and the above-styled action has been identified as a
3 related action to that petition. As a result the outcome of the pending petition will impact
4 significantly the schedule of this case.

5 This is the first stipulation between the parties. Because this litigation has just
6 begun, granting such a stipulation will not have any negative impact on the schedule of this case.

7 IT IS HEREBY STIPULATED.
8 DATED: July 19, 2005

9 Bingham McCutchen LLP

10
11 By: 

12 JOY K. FUYUNO
13 Attorneys for Defendant
14 Intel Corporation

15
16 Law Offices of Jeffrey F. Keller

17
18 By: 

19 JEFFREY F. KELLER
20 Attorneys for Plaintiffs
21 David E. Lipton and Dana F. Thiebedeau

[PROPOSED] ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE

IT IS HEREBY ORDERED that Defendant Intel Corporation's response to Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407, or, in the alternative, 45 days after any such motion has been denied.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 25, 2005


Honorable Marilyn Hall Patel
United States District Judge